

AIR WAR COLLEGE

AIR UNIVERSITY

DEFENSE SUPPORT OF CIVIL AUTHORITIES:

DOD MISSION OR ADDITIONAL DUTY?

by

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## **Biography**

Col David Walker is an Air War College student in the Academic Year 2011 class. Prior to attending Air War College, Col Walker served as Chief of the USNORTHCOM Future Air Operations Branch in the J3 Directorate as well as one of the Command's Crisis Action Team Leaders for the Battle Staff. As Crisis Action Team Lead, he was the lead planner for DOD's response to numerous DSCA operations including Hurricanes Gustav and Ike, the 2007 and 2008 California Wildfires, as well as the 2010 Gulf Oil Spill. A career USAF fighter pilot, Col Walker has served in numerous F-16 assignments including multiple combat tours in Southwest Asia and has commanded an operational F-16 Squadron. His education includes a BS in human factors engineering from the USAF Academy, MAS in aviation operations from Embry-Riddle Aeronautical University, and an MA in Military Operational Art from Air University's Air Command and Staff College.

## Introduction

The Special Congressional Committee report on Hurricane Katrina stated, “[Katrina] was the most destructive natural disaster in American history, laying waste to 90,000 square miles of land, an area the size of the United Kingdom ...”<sup>1</sup> More than 72,000 uniformed military members deployed in support of the Katrina response to save lives, mitigate human suffering, and prevent property damage.<sup>2</sup> A Katrina lessons learned report highlighted DOD as one of the only Federal organizations able to rapidly put effective forces on the ground.<sup>3</sup> However, despite having the most capability, DOD response during Katrina was significantly delayed and at times ineffective due to the limitations of both Federal Law and DOD policy.<sup>4</sup> Hurricane Katrina might appear an isolated event, but natural disasters such as annual hurricanes, wild fires, earthquakes, and pandemic disease will be likely future occurrences requiring massive responses. This paper will illustrate how Defense Support of Civil Authorities (DSCA) is a DOD mission and while DOD routinely executes DSCA, it does not organize, train, or equip for this mission as it does for war fighting missions. An examination of DSCA background, a summary of DOD policy restrictions, and a description of how DOD executes the DSCA mission

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<sup>1</sup> United States Senate, *Hurricane Katrina: A Nation Still Unprepared*, Special Report of the Committee on Homeland Security and Governmental Affairs. 109<sup>th</sup> Cong., 2<sup>nd</sup> sess. 2006. S. Rept. 109-322, 2.

<sup>2</sup> Ibid, 474.

<sup>3</sup> *The Federal Response to Hurricane Katrina: Lessons Learned*, (Washington, DC: Government Printing Office, February 2006), 54. “In addition to possessing operational personnel in large numbers that have been trained and equipped for their missions, DOD brought robust communications infrastructure, logistics, and planning capabilities. Since DOD, first and foremost, has its critical overseas mission, the solution to improving the Federal response to future catastrophes cannot simply be “*let the Department of Defense do it.*” Yet DOD capabilities must be better identified and integrated into the Nation’s response plans.

<sup>4</sup> Ibid, 54-55. “Assigning active duty military forces or capabilities to support disaster relief efforts usually requires a request from FEMA, an assessment by DOD on whether the request can be supported, approval by the Secretary of Defense or his designated representative, and a mission assignment for the military forces or capabilities to provide the requested support. From the time a request is initiated until the military force or capability is delivered to the disaster site requires a 21-step process. While this overly bureaucratic approach has been adequate for most disasters, in a catastrophic event like Hurricane Katrina the delays inherent in this “pull” system of responding to requests resulted in critical needs not being met. One could imagine a situation in which a catastrophic event is of such a magnitude that it would require an even greater role for the Department of Defense.”

in an ad-hoc fashion is necessary to understand the civil support environment before providing recommendations for future DSCA missions.

## **Background**

In a disaster with the scope and severity of a major hurricane landfall in the US, DOD is the only force provider with the capability to take rapid and decisive action across the entire spectrum of emergency response. However, Assistant Secretary of Defense McHale following Katrina warned the government against relying too heavily on the military for disaster response stating:

I would urge you to think simultaneously about speed and the fundamental public policy missions, public policy questions associated with the role of the military within domestic American society and constitutional government . . . We have to balance not only what the military is capable of doing, questions of speed and resources, but what the military ought to be doing consistent with the historically constrained role of the military within domestic American society.<sup>5</sup>

Regardless whether it is proper to rely on DOD, emergency managers will continue to expect and rely on military aid during major disasters simply because no other organization has such a mass response capability. In a paper concerning DSCA, LTC Rumbaugh confirmed this reliance on DOD by noting a gradual expansion of DOD's role in civil support operations over time causing increased strain on the military in the current environment of fighting two wars. Rumbaugh also pointed out how DOD civil support “. . . is now taken for granted by the American people.”<sup>6</sup>

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<sup>5</sup> United States Senate, *Hurricane Katrina: A Nation Still Unprepared*, Special Report of the Committee on Homeland Security and Governmental Affairs. 109<sup>th</sup> Cong., 2<sup>nd</sup> sess. 2006. S. Rept. 109-322, 525.

<sup>6</sup> LTC Steven Rumbaugh, “Mission Creep in the World of Defense Support of Civil Authorities (DSCA),” (Strategy Research Project, US Army War College, 2009), 1-17.

Rumbaugh highlights the gradual expansion or increase in the use of military for civil support type operations which he believes increases the strain on the military in the current environment of fighting in both Afghanistan and Iraq. He further states, “The growth of Defense Support of Civil Authorities to the local, state, and federal agencies and the increased reliance on a military response is now taken for granted by the American people.” Additionally, he states, “The United States Military is the front line defense of the United States of America. This protection is the military's primary mission that must not fail; as 9/11 has demonstrated, if there is a breach in this protection, it will be deadly. The missions of and in support of local, state and federal agencies could take away from this primary task.

Given DOD's unique disaster response capabilities coupled with expectations of the American people, it is logical to assume DOD will continue to engage in civil support operations in the future. So what are civil support operations?

DOD defines civil support (CS) as "Department of Defense support to US civil authorities for domestic emergencies and for designated law enforcement and other activities."<sup>7</sup> DOD routinely executes CS by providing support upon request to law enforcement agencies and National Security Special Events (NSSEs) such as the Presidential Inauguration. However, the largest DOD contribution to CS is Defense Support of Civil Authorities (DSCA). DOD defines DSCA as, "civil support provided under the auspices of the National Response Plan."<sup>8</sup> The National Response Plan (NRP), replaced by the National Response Framework (NRF) in 2008, guides the nation's response to emergencies and disasters.<sup>9</sup> Military forces supporting the Federal Emergency Management Agency (FEMA) response to a hurricane or supporting the National Interagency Fire Center (NIFC) during wild land firefighting are examples of DSCA.

Providing military forces for DSCA operations is important to US national security since the consequences of natural disasters can be similar in severity to attacks on the homeland. In the 9/11 attacks, approximately 3,000 people were killed with nearly \$20 Billion in property damage.<sup>10</sup> Comparatively, during Katrina, over 1,300 people were killed, 300,000 homes were lost, and property damage totaled over \$96 Billion.<sup>11</sup> In a 2001 RAND report on Hurricane Katrina, researchers found responding to catastrophic domestic emergencies had great similarities to preparing for potential terrorist attacks and therefore having forces trained and

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<sup>7</sup> Department of Defense (DOD) Joint Publication (JP) 1-02. *Department of Defense Dictionary of Military and Associated Terms*, 12 April 2001 (As Amended Through 30 September 2010), 74.

<sup>8</sup> Department of Defense (DOD) Joint Publication (JP) 1-02. *Department of Defense Dictionary of Military and Associated Terms*, 12 April 2001 (As Amended Through 30 September 2010), 126.

<sup>9</sup> US Department of Homeland Security. *National Response Framework*. Washington, DC: January 2008, i.

<sup>10</sup> *The Federal Response to Hurricane Katrina: Lessons Learned*, (Washington, DC: Government Printing Office, February 2006), 75.

<sup>11</sup> *Ibid*, 75.



ready for CS type missions should be the same priority as overseas contingency operations.<sup>12</sup>

Rapid response to a disaster to mitigate consequences, save lives, and return citizens back to their way of life should be a national security concern.

In fact, President Obama's 2010 National Security Strategy identifies natural disasters and pandemics among the threats to the nation's security.<sup>13</sup> For hurricanes, the average year has 5.9 Atlantic hurricanes with 2.3 of these being major (category 3 or greater) and currently there is a multi-decadal era of more than average hurricane activity.<sup>14</sup> Additionally, former Secretary of Homeland Security, Michael Chertoff pointed out, "when it comes to natural threats, for example, we have built communities in areas susceptible to wildfires, earthquakes, and floods, putting record numbers of people at risk."<sup>15</sup> Therefore, given the threat, vulnerability, and massive military response capability, DOD is a significant part of the planned national response to catastrophes. However, DOD prioritizes the DSCA mission below war fighting missions, conducts minimal training for DSCA, and executes DSCA with only those forces available that are not performing a war fighting mission.

Before analyzing DOD DSCA prioritization policy one must answer the following question: Does DOD have CS as a mission and then by extension have the CS subset of DSCA included as a mission? To answer this question requires a thorough review of published guidance and documents. In the National Defense Strategy, Secretary of Defense Gates states,

While defending the homeland in depth, the Department must also maintain the capacity to support civil authorities in times of national emergency such as in the wake of catastrophic natural and man-made disasters. The Department will

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<sup>12</sup> Lynn E. Davis et al., *Hurricane Katrina: Lessons for Army Planning and Operations*, RAND report DAPRR06017 (Santa Monica, CA: RAND, 2007), xi-xiv.

<sup>13</sup> *National Security Strategy of the United States of America*, (Washington DC: The White House, May 2010), 18.

<sup>14</sup> Philip J. Klotzbach and William M. Gary, *Atlantic Basin Seasonal Hurricane Forecast for 2010*, Colorado State University (Ft Collins, CO, 2010). 3.

<sup>15</sup> Michael Chertoff, *Homeland Security: Assessing the First Five Years* (Philadelphia, PA: University of Pennsylvania Press, 2009), 11.

continue to maintain consequence management capabilities and plan for their use to support government agencies.<sup>16</sup>

The 2010 Quadrennial Defense Review (QDR) also acknowledges support of civil authorities as one of six key mission areas needing rebalancing.<sup>17</sup> However, it should be noted the QDR exclusively focuses the rebalance recommendation on the Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) consequence management area of DSCA. Additionally, the DOD Strategy for Homeland Defense and Civil Support clearly acknowledges CS as part of its lead, support and enable construct by stating, “[a]t the direction of the President or the Secretary of Defense, the Department of Defense provides support to civil authorities.”<sup>18</sup> However, this strategy also places emphasis on CBRNE response noting DOD’s resources are finite and thus priority will be placed on the homeland defense mission and DSCA will be a secondary priority.<sup>19</sup> The term homeland defense can be thought of as DOD’s war fighting mission. Finally, the creation of US Northern Command (USNORTHCOM) with its homeland defense and CS mission serves as the most obvious confirmation of DSCA as a DOD mission. USNORTHCOM’s mission reads, “United States Northern Command conducts homeland defense, civil support, and security cooperation to defend and secure the United States and its interests.”<sup>20</sup> However, USNORTHCOM Commander, Admiral Winnefeld, acknowledges the secondary priority of DSCA in his mission, vision, and focus areas by stating, “we will work to find ways to eliminate barriers to speed of response without requiring large investments in

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<sup>16</sup> Department of Defense, *National Defense Strategy*, (Washington DC: Secretary of Defense, June 2008). 6.

<sup>17</sup> Department of Defense, *Quadrennial Defense Review Report*, (Washington DC: Secretary of Defense, 1 February, 2010). 18. “QDR recommended DOD rebalance policy, doctrine, and capabilities in six key mission areas one of which is to “defend the United States and support civil authorities at home.”

<sup>18</sup> Department of Defense, *Strategy for Homeland Defense and Civil Support* (Washington, DC: Deputy Secretary of Defense, June 2005), 2.

<sup>19</sup> *Ibid.*, 4.

<sup>20</sup> NORAD and USNORTHCOM official website, “*NORAD and USNORTHCOM Missions, Vision, and Focus Area*,” (1 December, 2010). <https://operations.noradnorthcom.mil/default.aspx> (accessed 11 December 2010).

capability.”<sup>21</sup> Clearly policy and guidance establish CS as a DOD mission and therefore the subset DSCA is a DOD mission. However, it is also clear DOD prioritizes DSCA below homeland defense or war fighting missions.<sup>22</sup>

Secondary prioritization of DSCA limits preparation and forces ad-hoc execution. Mission prioritization is reflected in military force structure and results in the DOD policy of relying on “. . . dual-capable forces for consequence management and other defense support of civil authorities.”<sup>23</sup> Simply put, DOD policy is to provide support to civil authorities upon request with what is available at the time of need from the war fighting force. This policy is further articulated in DOD Directive 3025.1 which restricts DOD components from procuring any items exclusively for the DSCA mission.<sup>24</sup> Therefore, with the exception of the CBRNE Consequence Management Response Force (CCMRF), there are no forces specifically organized, trained, or equipped for the DSCA mission. Outdated DOD Directives (1993 and 1997) further highlight the secondary priority of the DSCA mission since they include incorrect terminology predating 2001 when significant homeland security changes began to take place.

The DOD policy of not procuring items solely for DSCA or not training forces for the unique inter-agency environment creates friction during mission execution. For example, DOD often conducts DSCA during the annual wildfire season. This support consists of but is not limited to aircraft to conduct aerial firefighting operations. NIFC requires special radios to

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid, 3.

<sup>23</sup> Department of Defense, *Strategy for Homeland Defense and Civil Support* (Washington, DC: Deputy Secretary of Defense, June 2005), 39.

<sup>24</sup> Department of Defense, DODD 3025.1, *Military Support to Civil Authorities (MSCA)*, (Under Secretary of Defense for Policy, 15 January 1993), 5-6:

4.4. MSCA Policy

4.4.4.2. That DoD resources are provided only when response or recovery requirements are beyond the capabilities of civil authorities (as determined by FEMA or another lead Federal Agency for emergency response).

4.4.8.2. That DoD Components shall not procure or maintain any supplies, materiel, or equipment exclusively for providing MSCA in civil emergencies, unless otherwise directed by the Secretary of Defense.

ensure interoperability between members of the fire fighting community. DOD policy precludes the purchase of these relatively inexpensive radios forcing the NIFC managers to adapt expensive work-arounds such as putting NIFC personnel aboard DOD aircraft and maintaining separate radio systems to communicate with DOD assets. Another example is incident awareness and assessment (IAA) operations where DOD employs assets such as imagery platforms to provide rapid situational awareness to a range of personnel from first responders to senior national leaders. Unfortunately, the system used by DOD to process, exploit, and disseminate the products of most imagery collection operates solely on classified networks. While unclassified imagery distribution systems are relatively inexpensive to acquire and maintain, DOD is barred by policy from doing so. These are only two of many examples where DOD policy reduces the effectiveness of DSCA execution. Perhaps more serious than friction during execution though is the reality that when a disaster occurs, DOD might be stretched too thin with war fighting to provide any forces at all for DSCA since none are apportioned or allocated to this mission. Next, examining DSCA execution will help to understand capabilities, authorities and funding in the interagency arena.

## **DSCA Execution**

Highlighting the word “Support” in the term DSCA is critical to understanding DOD’s role in disaster response operations. During DSCA operations, DOD will always be in support of another federal agency. Although DOD usually could provide the preponderance of force in most disaster responses, specific legislation in United States Code, Title 6, limits the SecDef from leading a Federal response as it would infringe on the statutory authority of the Secretary

of Homeland Security.<sup>25</sup> Therefore, with the exception of some search and rescue operations, DOD is not the lead agency during disaster response.

Authority for DOD to provide support during disaster response operations generally stems from the Robert T. Stafford Disaster Relief and Emergency Assistance Act and the US Economy Act. The Stafford Act provides a mechanism for a State Governor to request Federal Assistance and the President to provide federal response capability and funding to the State.<sup>26</sup> Stafford Act funds managed by FEMA and cost share funds from the State are then used to reimburse DOD or other force providers for incremental costs associated with response.<sup>27</sup> The US Economy Act provides a mechanism for Federal Departments to provide support upon request to other Federal Departments with cost reimbursement.<sup>28</sup> The key takeaway here is there is no funding for DSCA preparations or training, rather funding is provided on a reimbursement basis for actual response execution.

DOD provides military capabilities for DSCA operations through two mechanisms. The first mechanism is the Governor of a State employing National Guard forces in state active duty or Title 32 status or requesting assistance from another State's National Guard forces. The second mechanism is when Title 10 active duty forces are employed in response to a request for federal assistance through the NRF.

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<sup>25</sup> United States Code, Title 6, "Domestic Security," URL: <http://www4.law.cornell.edu/uscode/html/uscode06/> (accessed 6 December 2010).

<sup>26</sup> Elizabeth B. Bazan, *Robert T. Stafford Disaster Relief and Emergency Assistance Act: Legal Requirements for Federal and State Roles in Declarations of an Emergency or a Major Disaster*. Congressional Research Service Report FL33090 (16 September 2005), 1-2.

<sup>27</sup> Joseph Austin, "Defense Support of Civil Authorities – Are We Organized Right?" (master's thesis, US Army War College, Carlisle Barracks, PA, 30 March 2007).

<sup>28</sup> United States Code Title 31, "Economy Act," URL: <http://www.casu.gov/authority/usc1535.html>. (accessed 6 December 2010).

Title 10 active duty DOD forces are fifth level responders in the National Response Framework (NRF) since a key tenant is tiered response.<sup>29</sup> Local first responders will always be first on-scene at any incident and if overwhelmed, other municipalities provide capability as second level responders. Third, State capability can be brought to bear to include National Guard forces. National Guard forces are usually the first DOD contribution to DSCA operations since these forces are uniquely postured within their respective states to provide rapid response. However, large disasters will generally overwhelm any one State's National Guard forces very quickly. At the fourth level, the State may request response forces from other States through pre-coordinated Emergency Management Assistance Compacts (EMAC). Finally, the State may request federal assistance and if approved by the President, the Federal Emergency Management Agency (FEMA) will coordinate the Federal response and may request the support of Title 10 DOD forces as one of the many Federal Agencies it leverages. FEMA reports to the Department of Homeland Security (DHS).

Fueled by the terrorist attacks of September 11, 2001, the US Government created the DHS and in Homeland Security Presidential Directive (HSPD) 5, identified the Secretary of Homeland Security as the "principle [f]ederal official for domestic incident management."<sup>30</sup> Additionally, HSPD-5 directed DHS to develop and administer a National Incident Management System (NIMS) and a National Response Plan (now called the NRF).<sup>31</sup> DHS has delegated these functions to FEMA. The President, in HSPD-5, also directed the other federal department heads to provide support to DHS for domestic incidents. However, HSPD-5 direction to the Secretary of Defense (SecDef) included an exception by directing DOD to "... provide military

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<sup>29</sup> US Department of Homeland Security. *National Response Framework*. Washington, DC: January 2008, 10.

<sup>30</sup> Homeland Security Presidential Directive, "Management of Domestic Incidents," HSPD-5 (28 February 2003),

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<sup>31</sup> Ibid., 1-3.

support to civil authorities for domestic incidents as directed by the President or when consistent with military readiness and appropriate under the circumstances and the law.”<sup>32</sup> This is an important difference from direction to other federal departments because the “. . . when consistent with military readiness . . .” clause basically ensures DOD’s primary war fighting mission is not adversely affected by DSCA demands. Furthermore, HSPD-8, published 10 months after HSPD-5, identified ways to improve domestic incident response and directed national training and exercises to meet national preparedness goals.<sup>33</sup> However, as in HSPD-5, HSPD-8 also allowed limited DOD’s participation.<sup>34</sup>

The key document directing DSCA execution is the SecDef approved, Chairman of the Joint Chiefs of Staff (CJCS) DSCA Execute Order (EXORD). This EXORD, published annually, identifies the Commander of USNORTHCOM and the Commander of US Pacific Command (USPACOM) as supported commanders for DSCA, establishes authorities in support of the NRF, and provides a mechanism for the rapid employment of over 11,000 Title 10 active duty personnel.<sup>35</sup> While the DSCA EXORD doesn’t allocate forces to the supported commanders, it does identify capabilities and provide supported commanders authorities to gain quick access to forces if execution is required or anticipated.<sup>36</sup> For example, the DSCA EXORD pre-identifies types of forces and authorizes supported commanders to coordinate directly with force providers to place forces in a prepared-to-deploy-order (PTDO) status, deploy forces, and

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<sup>32</sup> Ibid., 2.

<sup>33</sup> Homeland Security Presidential Directive, “National Preparedness,” HSPD-8 (17 December 2003) 1-6.

<sup>34</sup> Ibid, 5. “Nothing in this directive shall limit the authority of the Secretary of Defense with regard to the command and control, training, planning, equipment, exercises, or employment of Department of Defense forces, or the allocation of Department of Defense resources.”

<sup>35</sup> Chairman of the Joint Chiefs of Staff (CJCS) Execute Order (EXORD), *Defense Support of Civil Authorities*, DTGL 102000Z September 2010, 3.

<sup>36</sup> Ibid., 3. Purpose of the DSCA EXORD is to “. . . delegate limited approval authority to supported Combatant Commanders, who have DSCA responsibilities, for routine PA [primary agency] requests for assistance (RFA), including the types of RFA historically submitted by PA, to provide a rapid and flexible DOD response to Federal primary agencies for potential or actual emergencies and/or disasters within the United States, Territories, Possessions, and Protectorates.”



then employ forces once in receipt of a request for assistance.<sup>37</sup> This reduces the normal request for forces process from months to days. Additionally, for DSCA, the Joint Staff operates under the expedited orders process further reducing the force sourcing timeline.<sup>38</sup> However, even reducing sourcing timelines to days can be inadequate since disaster response is usually measured in hours. Table 1 summarizes capabilities and authorities identified in the Standing DSCA EXORD.

| Category  | Authority  | Resources   |
|---|--|---|
| <b>Category 1</b><br>Assigned and Allocated Forces                                | <ul style="list-style-type: none"> <li>Place forces on prepare-to-deploy order (PTDO)</li> <li>Deploy forces in AOR</li> <li>Employ forces upon receipt, validation, and approval by Supported CCDR of an RFA</li> <li>Supported CCDR can deploy and employ for up to 60 days</li> <li>Supported CCDR must notify SecDef and CJCS before movement</li> </ul> | <ul style="list-style-type: none"> <li>Forces assigned or allocated to Supported CCDR</li> </ul>  |
| <b>Category 2</b><br>Pre-Identified Resources<br>(approximately 1,215 personnel)  | <ul style="list-style-type: none"> <li>Same as Category 1 with the addition of - Coordinate directly with force providers to source available pre-identified resources and place on a 24-hour PTDO status for up to 7 days</li> </ul>  | <ul style="list-style-type: none"> <li>Military installations for interagency/DOD support</li> <li>Modular Airborne Fire Fighting System capable C-130 plus crews/C2</li> <li>DOD civilian firefighters</li> <li>Defense Coordinating Officer/Defense Coordinating Element</li> <li>18 x utility helicopters</li> <li>2 x fixed wing refueling acft for helicopters</li> <li>3 x Pararescue teams</li> <li>1 x Incident Awareness and Assessment (IAA) acft</li> <li>Patient evacuation capability with enabling assets</li> <li>DOD National Disaster Medical System (NDMS) Federal Coordinating Centers</li> <li>Expeditionary Medical Support</li> <li>Deployment Distribution Operations Center – Forward</li> <li>One Joint Task Force – Port Opening</li> <li>4 x planners</li> <li>IAA downlink/uplink capability</li> <li>Modular Aerial Spray System capable C-130s plus crews/C2</li> </ul> |
| <b>Category 3</b><br>Resources for Internal use to support DOD (approximately 45) | Same as Category 2 except doesn't require an RFA   | <ul style="list-style-type: none"> <li>Public Affairs Detachment</li> <li>Joint Public Affairs Support Element</li> <li>3 x Combat Camera Teams</li> <li>DOD NDMS bed reporting</li> </ul>  |

<sup>37</sup> Ibid., 4.

<sup>38</sup> LTC Steven Rumbaugh, "Mission Creep in the World of Defense Support of Civil Authorities (DSCA)," (Strategy Research Project, US Army War College, 2009), 12.



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| personnel)   |  | <ul style="list-style-type: none"> <li>• Civil Authority Information Support Element (CAISE) LNOs</li> <li>• Director Mobility Forces – Air</li> <li>• Base Support Installation</li> <li>• Religious Support Team</li> </ul>   |
| <b>Category 4</b><br>Large Scale Response Resources<br>(approximately 9,750 personnel) | SecDef approval required to: <ul style="list-style-type: none"> <li>• Place resources on PTDO</li> <li>• Deploy and/or employ resources</li> <li>• Resources sourced through normal RFF process</li> </ul> | <ul style="list-style-type: none"> <li>• Search and Rescue Force Package</li> <li>• Medical Force Package</li> <li>• Transportation Force Package</li> <li>• Command and Control Augmentation Force Package</li> <li>• Communication Force Package</li> <li>• IAA Force Package</li> <li>• Maritime Force Package</li> <li>• Theater Opening Force Package</li> <li>• Wild land Firefighting Force Package</li> </ul> |

**TABLE 1. Summary of Standing DSCA EXORD Authorities and Resources<sup>39</sup>**

## DSCA Shortfalls

Although DOD has major capability to respond to disasters, it often falls short in decisive DSCA execution because forces are not organized, trained, and equipped for DSCA. During Hurricane Katrina, DOD response was delayed while identifying requirements and sourcing solutions.<sup>40</sup> Additionally, the complex command and control structure of the interagency as well as National Guard versus active duty chains of command reduced response effectiveness.<sup>41</sup> Considerable effort by DOD since Katrina has resulted in much better response times for DSCA forces especially given the authorities in the Standing DSCA EXORD. However, in a 2010 capabilities-based assessment for CS missions, USNORTHCOM identified 10 DOD capability gaps related to natural disaster response.<sup>42</sup> For example, DOD provides the only mass aerial

<sup>39</sup> Chairman of the Joint Chiefs of Staff (CJCS) Execute Order (EXORD), *Defense Support of Civil Authorities*, DTGL 102000Z September 2010, 3-12. Created from forces identified in EXORD.

<sup>40</sup> Lynn E. Davis et al., *Hurricane Katrina: Lessons for Army Planning and Operations*, RAND report DAPRR06017 (Santa Monica, CA: RAND, 2007), 45. “While DoD gave NORTHCOM a ‘blank check’ to provide response resources early on, time was needed to assess the needs and potential gaps in civilian and National Guard capabilities. The magnitude of the deficiencies became clear as the first week of the response ended; at that point, the decision to deploy more than 7,000 active-duty land forces was made. However, even if a decision to deploy a large number of active-duty forces had been made on the day of hurricane landfall, their arrival would still have occurred after the evacuations of the Superdome and convention center were complete.”

<sup>41</sup> Ibid, 45.

<sup>42</sup> General Accountability Office, *DOD Can Enhance Efforts to Identify Capabilities to Support Civil Authorities during Disasters*, US Government Report GAO-10-386. (Washington, DC: 30 March 2010), 5-6.

patient evacuation capability and “. . . although civil authorities have identified a need for DOD transportation support within 24 hours of a catastrophic incident, DOD has limited capability to respond sooner than 72 hours.”<sup>43</sup> DSCA forces are still sourced at time of need and do not have specific training for the interagency environment. Furthermore, many of the military force’s combat skills, while valuable to response operations, need to be adjusted for the civil environment. Using patient evacuation as one example, imagine the equipment and skill differences between transporting wounded soldiers from overseas to CONUS versus transporting the elderly or pediatric patients from one civilian hospital to another. Consider the following hypothetical DSCA vignette to illustrate this point:

### **DSCA Vignette**

A major hurricane makes landfall on the Gulf Coast producing widespread damage, massive loss of life, and displaces over 3 million people from their homes and over 5000 patients from hospitals. Despite significant pre-planning, DOD is inundated with requests for assistance from FEMA on the day after land fall for medical, communications, and logistics capabilities. For example, FEMA requests trucks to deliver food, water and other commodities within the affected area. USNORTHCOM planners match a US Army Medium Transportation Company’s capability to this request and forward an RFF to the Joint Staff. The Joint Director of Military Support (JDOMS) staffs the RFF and coordinates with US Joint Forces Command (USJFCOM) for potential sourcing solutions. Once a feasible sourcing solution is identified, the RFF is approved by the Joint Staff J3 and taken to the SecDef as part of the expedited orders process. Up to this point, 24-hours have usually elapsed from the original request. Once approved by the SecDef, a CJCS order is issued directing USJFCOM to source a Medium Transportation Company or equivalent and provide it OPCON to CDRUSNORTHCOM. USJFCOM has 24-

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<sup>43</sup> Ibid, 8.

hours to source the requirement taking into account critical issues such as combat training and deployment schedules. After sourcing, the identified unit has 24-hours to achieve a PTDO status and then the unit will deploy. Even with the expedited orders process or even vocal orders, approximately 72-hours have elapsed from the original request. Next, based on where the sourced unit is located, the deployment movement time has to be added to the total elapsed time as well. For CONUS based units, this will normally be within 24-hours if airlift is available. Once on the ground, the unit must now integrate from a cold start into a multi-agency response and provide potential life sustaining commodities distribution capability. Had the unit been pre-identified and allocated to USNORTHCOM, the unit could have been trained and equipped for this mission and the time from request to execution would include only deployment time.<sup>44</sup>

Many in DOD argue the authorities and forces identified in the DSCA EXORD answer the responsiveness shortfall since the supported commander, in anticipation of a request, could have already requested the Transportation Company and even forward deployed it awaiting the FEMA Mission Assignment.<sup>45</sup> In truth, this happens a lot and the USNORTHCOM planners aggressively coordinate with FEMA through their Defense Coordinating Officers (DCOs) at each FEMA Region.<sup>46</sup> Figure 1 is a map of the 10 FEMA Regions. However, FEMA is often reluctant to request DOD assistance until absolutely sure of the need due to the high cost of deploying military forces. Additionally, even if the DSCA EXORD process were able to shorten 100 percent of the deployment times for units, the units sourced would still have zero DSCA training or special equipment under current DOD policy. Consider the truck company in the

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<sup>44</sup> Author personal experience working as USNORTHCOM Crisis Action Team Lead during DSCA operations, 2007 – 2010.

<sup>45</sup> Mission Assignment is the term used for a Request for Assistance coordinated by FEMA during Stafford Act Events.

<sup>46</sup> US Department of Homeland Security. *National Response Framework*. Washington, DC: January 2008, 61, 68. There are 10 FEMA regions each with a Regional Response Coordination Center (RRCC). USNORTHCOM provides a DCO to each RRCC. “The DCO serves as DOD’s single point of contact for requesting assistance from DOD.”

previous vignette. Proper training might have included awareness of FEMA's disaster logistics plans, urban commodities distribution methods, and training to effectively deal with large crowds of desperate people.



**Figure 1. Map of 10 FEMA Regions<sup>47</sup>**

DOD Readiness for the DSCA mission is routinely exercised through participation in annual national level homeland defense and homeland security exercises. However, DOD generally participates in these exercises only at the headquarters level with the exception of CBRNE response forces and select National Guard units. DSCA execution forces then are not exercised. For real world DSCA execution, forces are assembled in an ad-hoc fashion based on requests for assistance. The DOD command and control elements for DSCA as well as portions of National Guard units are well established in the interagency process, but the active duty units are not trained to operate within the interagency construct. For effective readiness assessment, active duty units would need to have established joint mission essential task lists (JMETL) and to

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<sup>47</sup> Department of Homeland Security. *National Response Framework*. Washington, DC: January 2008, 61.

be trained in DSCA areas such as the rules for the use of force within the homeland, posse comitatus restrictions, and the interagency unity of effort construct.

A by-product of ad-hoc DSCA execution is the negative impact on war fighting readiness. Since units are not pre-identified or trained for DSCA missions, actual DSCA execution detracts from a unit's planned activities. Units ordered to DSCA missions are at some stage in their spin-up such as equipment refit or individual training for the next deployment vulnerability period. The no-notice DSCA missions put further strain on already strained forces.

### **Recommendations for Future DSCA Execution**

Three recommendations are provided for potential ways ahead in the DSCA mission area. While acknowledging there will be obvious money and opportunity costs associated with these recommendations, no data is offered in this area. One recommendation labeled *eliminate DSCA mission* involves removing the DSCA mission from DOD's responsibilities and assigning it to other Federal Departments. A second recommendation labeled *status quo* involves continuing current DOD policy for DSCA missions. A third recommendation labeled *reprioritize for DSCA* involves organizing, training, and equipping DOD for the DSCA mission and prioritizing this mission on par with the homeland defense mission.

#### **Eliminate DSCA Mission**

Although extreme, one could recommend DSCA be eliminated from DOD's mission responsibilities in light of the laws and policy restrictions reducing DOD DSCA mission effectiveness. The positive results of this course of action would be zero interruptions of DOD training allowing sole focus on the war fighting mission. The negative impacts of this course of action include the loss of DOD's considerable though not perfect capability to rapidly affect an

emergency situation to save lives, mitigate human suffering, and prevent property damage.

Since American citizens would expect a government response, response capability would have to be developed elsewhere which would most likely result in building a standing civil response force at considerable costs. While a standing civil response force appears to be a logical solution to optimize emergency response operations, the cost to build this force with similar capabilities to DOD would be staggering. Additionally, when not in use for response operations, the civil response force would be an expensive force in waiting. Therefore, even though this option reduces strain on DOD, the response expectations coupled with cost to develop capability outside DOD makes this option untenable.

### **Status Quo**

One could also make a sound argument for the status quo with respect to the DSCA mission. This argument would include how DOD's first priority must be fighting wars and how DOD can support DSCA operations when requested with any forces excess to the current war fighting situation at the time of disaster. This course of action is obviously more cost effective than building a separate civilian force or adding DOD force structure to support emergency response operations as it takes advantage of the dual use capability of forces. Additionally, this dual use argument is strengthened when considering the current high war fighting operations tempo may not continue indefinitely. In the future, DOD forces might be more readily available for DSCA missions when the US is not involved in two major conflicts.

However, in light of the fact that natural disasters will continue to occur, one could argue against this course of action for two reasons. First, it is possible DOD would have limited forces available in the future based on the level of engagement in overseas contingency operations. Relying on DOD as the major force provider for disasters on the scale of Katrina includes a hope

factor and could leave a large gap in DSCA forces available in the future. Hope is not a plan of action. The second reason to argue against this course of action has been the focus of this paper in that DOD forces are not as responsive as needed because of low DSCA prioritization.

Furthermore, DOD forces are not properly trained for optimal DSCA performance. Forces generated in an ad-hoc manner might accomplish the assigned mission, but they might also fail or perform poorly because of training and equipment deficiencies. To ensure mission success in any situation, forces must be organized, trained, and equipped for the assigned mission.

Therefore, the status quo option contains an element of risk in the future making this recommendation also untenable.

### **Reprioritize for DSCA Mission**

Given the untenable extreme of the eliminate DSCA mission recommendation and the ad-hoc nature and risk associated with the status quo recommendation, reprioritizing for the DSCA mission is the logical recommendation. If DSCA were prioritized at the same level as war fighting missions, DOD could ensure mission success for both missions and allow for simultaneous DSCA and war fighting without detracting from each other. This is not an extreme recommendation when considering the consequences of natural disasters to US citizens can be just as devastating as attacks from America's enemies. Therefore, DOD should increase force structure to include equipment and personnel for the DSCA mission. Forces can be identified and equipped on rotational basis for the DSCA mission just as forces are identified now for deployment to overseas contingency operations. Forces identified for DSCA rotation would design their training plans to prepare for emergency response operations. Furthermore, these forces would be allocated to the supported commanders for DSCA for the duration of their vulnerability periods allowing for readiness evaluations, rapid deployment, and employment. Of



course, the arguments against this recommendation include the high cost. Implementing this recommendation involves more personnel and equipment for DOD. However, these costs most certainly would be less than building the similar capability outside the DOD since the command and control structure already exists to absorb this additional plus up.

## **Conclusion**

Large scale disasters resulting from natural or man-made events are significant threats to US national security and require a national response in order to save lives, prevent human suffering, and minimize property damage. DOD is the only Federal entity with the ability to rapidly mass capability across all areas of emergency response. Based on law, DOD will always be in support of another Federal agency such as FEMA and responds to requests for assistance when approved. DOD disaster response efforts, called DSCA, are a subset of its CS mission. CS and the subset DSCA are captured in multiple policy and directive documents as a DOD mission. However, DOD, with the approval Presidential Policy Directive, prioritizes DSCA as a secondary mission below war fighting. Therefore, due to prioritization and policy, DOD neither organizes, trains, nor equips for DSCA. DOD provides capability for DSCA if available from forces excess to war fighting at the time of request.

Historically, DSCA operations have included slow response times and less than optimal execution in the field. Significant improvements in response times have been gained by implementing the CJCS Standing DSCA EXORD, but units are still identified at the time of need in an ad-hoc manner and therefore not trained for the unique interagency emergency response environment. Three recommendations are provided as potential DSCA ways ahead including removing this mission from DOD and assigning it to another federal organization, continuing today's policy, or expanding DOD forces for DSCA. Expanding DOD's forces and capabilities



to account for the DSCA mission and prioritizing DSCA on the same level as homeland defense builds upon what works today and removes the risk of future mission failure by organizing, training, and equipping the force for DSCA execution.



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